



**NCTA**

NATIONAL CABLE & TELECOMMUNICATIONS ASSOCIATION

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**EX PARTE**

January 19, 2005

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: MB Docket No. 02-144, MM Docket No. 92-266, MM Docket No. 93-215,  
CS Docket No. 94-28, CS Docket No. 96-157

Dear Ms. Dortch:

On January 18, 2005, Dan Brenner, NCTA's Senior Vice President for Law and Regulatory Policy and I met with Jonathan Cody, Legal Advisor to Chairman Powell, to discuss NCTA's written comments and reply comments in the above-captioned proceeding.

Consistent with NCTA's comments, we urged the Commission to change its effective competition presumption and to streamline its process for resolving effective competition petitions.

Respectfully submitted,

/s/ **Diane B. Burstein**  
Diane B. Burstein

cc: Jonathan Cody